

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

KENNETH LOBILLO, *et al.*,

Plaintiffs,

– against –

UNITED HOOD CLEANING CORP.,

Defendant.

ORDER

15-CV-3581

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **DEC 17 2015** ★

BROOKLYN OFFICE

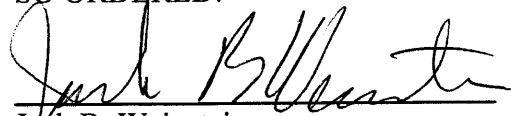
JACK B. WEINSTEIN, Senior United States District Judge:

A full settlement of plaintiffs' claims under the Fair Labor Standards Act ("FLSA") has been accepted pursuant to an Offer of Judgment under Federal Rule of Civil Procedure 68.

The present rule in the Eastern District of New York with respect to the need for court approval of such a settlement was stated by Judge Cogan in *Barnhill v. Fred Stark Estate*, No. 15-CV-3360 2015 WL 5680145, *1 (E.D.N.Y. Sept. 24, 2015). The court follows his decision that court approval is not necessary for a settlement of FLSA claims under Federal Rule of Civil Procedure 68.

The November 12, 2015 order of Magistrate Judge Mann is set aside. The court's December 11, 2015 order (ECF No. 14) is withdrawn. The case is dismissed with prejudice. The Clerk is directed to enter judgment as provided in the Acceptance of Rule 68 Offer of Judgment (ECF No. 12).

SO ORDERED.



Jack B. Weinstein
Senior United States District Judge

Dated: December 17, 2015
Brooklyn, New York